

REMARKS

Claims 1-21 are pending in this application. Attached hereto is a complete listing of all claims in the application, with their current status listed parenthetically. By this Response, claim 1 has been amended, and claim 4 has been cancelled, without prejudice to later prosecution.

Rejections Under 35 U.S.C. § 103

In paragraph 4 of the Office Action, pending claims 1-21 stand rejected as unpatentable under 35 U.S.C. § 103(a) over U.S. Patent 6,492,897 (“Mowery”) in view of published U.S. patent application 2004/0142663 (“Roberts”). Applicant respectfully traverses this rejection.

All Claim Elements are not Taught or Suggested in Mowery

M.P.E.P. § 2143.03 requires that “all words in a claim must be considered in judging the patentability of that claim against the prior art.” Applicant submits that amended independent claim 1, and originally-filed independent claims 9, 14 and 17 include words that are not taught nor suggested in Mowery. Specifically, in his rejection, the Examiner states:

“Mowery, as shown in figures 1-7, teaches a system for coupling wireless signals to and from a power transmission line communication system comprising electric power wire (27), electric power outlet (28), ultra-wideband transmitter and receiver (24, **58**). The coupling system of Mowery supports plurality of modulation techniques including UWB to communicate to and from the power line or power grid, which includes transformer (37), transmission substation (39), and distribution substation (38), through the interface (58) (bridge). See also column 6, lines 38 to column 17, line 7. (**emphasis added**)

Applicant’s amended independent claim 1, and originally-filed independent claims 9 and 14, recite bypassing “a transformer” and claim 17 recites bypassing “a power grid apparatus.”

However, the Examiner's comments, reproduced above, state that Mowery teaches "communicat[ing] to and from the power line or power grid, which includes transformer (37), transmission substation (39), and distribution substation (38), through the interface (58) (bridge)." Applicant interprets this comment to mean that Mowery teaches communicating **through the interface (58)**, and the Examiner is stating that the interface (58) is the same as a "bridge" illustrated in Applicant's FIGS 5-6 and described starting on page 27.

However, communicating through the interface (58) is exactly the opposite of what Applicant is claiming. That is, Mowery fails to teach **bypassing** any elements of the power grid system. Instead, Mowery teaches transmitting through all elements of the power grid system, and does not bypass any power grid component.

For example, col. 11, lines 55-63 of Mowery states:

"The best mode of practice of the invention can be accomplished by integrating a fixed antennae, transmitter, receiver, and power communication system inside a light bulb. The best mode of practice can also be accomplished by placing the antennae, transmitter, receiver, and power communication system inside an enclosure that the electric light bulb can screw its threads into just like an electrical socket. Then this enclosure can screw into a electrical socket or street lamp socket."

And, col. 14, lines 15-19 of Mowery states:

"The power communication system 24 can receive data from an electrical outlet 28 by a power communication system receive method 27. The electrical outlet 28 is connected to electrical utility distribution 31 by an electrical path to power distribution network 29."

Thus, Mowery teaches attaching his device, such as a light bulb, or a power communication system 24 directly to the power distribution network (Applicant notes that the reference numbers used in the Mowery figures do not always correlate to the reference numbers used in the specification). **Nowhere in Mowery is there any teaching of bypassing any**

component of a power distribution network. Thus, Mowery **fails to teach all elements of** Applicant's independent claims 1, 9, 14 and 17.

In addition, Roberts fails to supply the teachings missing from Mowery. In addition, the Examiner cites Roberts for teaching "carrier-less" ultra-wideband communication technology, and refers to Applicant's September 1, 2006 Response. However, Applicant notes that the discussion in the September 1, 2006 Response was directed to distinguishing ultra-wideband modulation (an erroneous concept) from ultra-wideband communication technology. In an effort to establish a non-ambiguous prosecution history, Applicant notes that ultra-wideband communication technology can use a "carrier" as understood by one skilled in the art, or ultra-wideband can be "carrier-free."

Therefore, Applicant respectfully requests the Examiner reconsider and withdrawal this rejection. In view of the above discussion, Applicant respectfully submits that the Section 103 rejection of independent claims 1-21 has been traversed.

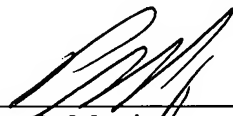
Conclusion

Applicant believes that this Response has addressed all items in the Office Action and now places the application in condition for allowance. Accordingly, favorable reconsideration and allowance of claims 1-3 and 5-21 at an early date is solicited. Enclosed with this Response is the fee for a three-month extension of time for a small entity. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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Date



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